

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	Case No. 3:20-cr-00009-HDM-CLB
)	
Plaintiff,)	<u>MINUTES OF COURT</u>
)	
vs.)	December 13, 2021
)	
WILLIAM PHILLIP NEIDINGER,)	
a/k/a William Joseph Beck III,)	
)	
Defendant.)	
	/	

PROCEEDINGS: Jury Trial (Day One)

PRESENT: THE HONORABLE HOWARD D. McKIBBEN, SENIOR U.S. DISTRICT JUDGE

DEPUTY CLERK: Paris Rich REPORTER: Margaret Griener

COUNSEL FOR PLAINTIFF: Randy St. Clair, AUSA and Richard Casper, AUSA

COUNSEL FOR DEFENDANT: Pro Se Defendant with standby counsel Chris Frey, AFPD and Joanne Diamond, AFPD

At 8:38 a.m., the Court convenes in Courtroom 4.

Pro Se Defendant (On Bond) is present with standby counsel Chris Frey, AFPD and Joanne Diamond, AFPD.

Randy St. Clair, AUSA and Richard Casper, AUSA are present with Michael Telford, Special Agent, Diplomatic Security Service and Wei Hung, Assistant Special Agent, Diplomatic Security Service.

The Court addresses the Government's Motion in Limine to Preclude References to First Trial, Including to the Result of the Trial (ECF No. 108). The Court hears arguments of counsel. **IT IS ORDERED that the Government's Motion in Limine to Preclude References to First Trial, Including to the Result of the Trial (ECF No. 108) is GRANTED.** The parties shall be precluded from any reference regarding the prior trial in this matter.

The Court addresses the Defendant's Exhibits 512-A and 512-B. The Court advises the defense may brief the relevance of Exhibits 512-A and 512-B. However, preliminarily, the defense shall not refer to Exhibits 512-A and 512-B in the opening statement.

The parties stipulate to the random draw of the jury.

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At 9:03 a.m., pursuant to the stipulated random draw of the jury, 32 prospective jurors enter Courtroom 4. To allow for social distancing due to COVID-19, 26 prospective jurors are also simultaneously seated in adjacent Courtroom 3 to participate in the voir dire process via a videoconference feed between Courtrooms 4 and 3.

The Court presents introductory statements and introduces counsel. The Court further summarizes this action and the anticipated trial schedule. The voir dire oath is administered to all 58 jurors.

Voir dire is conducted. At 10:16 a.m., the jury is passed for cause.

The parties exercise peremptory challenges.

At 10:43 a.m., counsel stipulate to the 14 seated jurors. The Court thanks and excuses the remaining jurors for a period of two years.

The Court recites statements to the jury regarding the trial schedule. The 14 jurors are impaneled and sworn.

At 10:48 a.m., the jury is admonished and excused for a brief recess.

At 11:11 a.m. the Court reconvenes with all parties present.

The jury enters the courtroom. All jurors are present.

Mr. Casper presents opening statement.

The Pro Se Defendant presents partial opening statement.

At 12:24 p.m., the jury is admonished and excused until 2:00 p.m. this date.

At 2:04 p.m., the Court reconvenes with all parties present.

Outside the presence of the jury, Mr. Casper addresses issues pertaining to statements made by the Pro Se Defendant during his opening statement. The Court and counsel confer.

The Pro Se Defendant addresses a newly filed memorandum. The Court will address the memorandum with the parties following the Court's review.

At 2:07 p.m., the jury enters the courtroom. All jurors are present.

The Pro Se Defendant concludes his opening statement.

Mr. St. Clair recites the parties' stipulation to the Government's Exhibits 1, 1a, 1b, 1c, 2, 3, 4, 4a, 5, 6, 12, 12a, 13, and 14. **IT IS ORDERED that the Government's Exhibits 1, 1a, 1b, 1c, 2, 3, 4, 4a, 5, 6, 12, 12a, 13, and 14 are received into evidence.**

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The Court provides the jury with brief instruction.

MYRNA GUTIERREZ, Fraud Program Manager, Consular Affairs, Department of State, called on behalf of the Government, is sworn, examined on direct by Mr. St. Clair, cross-examined by the Pro Se Defendant, and excused.

IT IS ORDERED that the Government's Exhibits 17 and 4c are received into evidence.

MARIA ROWENA BUEN SUBIA, U.S. Secret Service Analyst (formerly an analyst with Department of State, Diplomatic Security), called on behalf of the Government, is sworn and examined on direct by Mr. Casper. The Pro Se Defendant waives cross-examination. The witness is excused.

The jury is excused for a brief recess.

Outside the presence of the jury, the Pro Se Defendant addresses the Defendant's newly filed Memo in Support (ECF No. 110). The Court confirms it will review.

At 3:18 p.m., the Court stands at recess.

At 3:40 p.m., the Court reconvenes. All parties are present.

The jury enters the courtroom. All jurors are present.

JONATHAN GEORGE VANCE, Special Agent, Department of State, Diplomatic Security, called on behalf of the Government, is sworn, examined on direct by Mr. St. Clair, cross-examined by the Pro Se Defendant, examined on redirect by Mr. St. Clair, and excused.

IT IS ORDERED that the Government's Exhibits 15 and 16 are received into evidence.

The Court discusses the trial scheduling. Due to the weather forecast for Tuesday, December 14, 2021, the jury is instructed to call the Court's recording on Tuesday, December 14, 2021 at 7:00 a.m. to receive any alternative reporting instructions.

At 4:30 p.m., the jury is admonished and excused until Tuesday, December 14, 2021 at 9:00 a.m.

Outside the presence of the jury, the Court addresses legal issues with the parties.

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